
IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

v.

BENJAMIN DEPUTY BROWN,

Defendant.

**MEMORANDUM DECISION
AND ORDER**

Case No. 2:17CR131DAK

Judge Dale A. Kimball

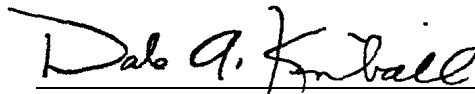
Defendant Benjmain Deputy Brown filed a Motion to Modify Conditions of Supervised Release [Docket No. 47]. On May 2, 2018, this court sentenced Defendant to 90 months of supervised release, to include 30 months of home confinement. Defendant's motion seeks to terminate the period of home confinement. Pursuant to 18 U.S.C. § 3583(e)(2), the court "[m]ay modify . . . the conditions of supervised release at any time prior to the expiration or termination of the term of supervised release." Defendant's probation officer supports Defendant's motion and the early termination of home confinement. Based on the probation officer's position, the United States does not object to Defendant's motion.

Defendant has complied with every condition of supervised release, maintained employment, continued to participate in mental health counseling to regain control of his mental health, and sought to actively engage in family responsibilities and activities. However, the home confinement requirement is causing difficulties in his requirements for work and his ability

to fully help with his family commitments. The court agrees that Defendant's ability to fully engage in work and family life will benefit his rehabilitation. The continued monitoring of Defendant's technological devices will be sufficient to deter criminal conduct and protect the public. Accordingly, the court grants Defendant's motion and terminates Defendant's term of home confinement.

DATED this 3rd day of July, 2019.

BY THE COURT:

A handwritten signature in black ink, reading "Dale A. Kimball", is written over a horizontal line.

DALE A. KIMBALL

United States District Judge